REMARKS

The claims have been amended by rewriting claims 5, 6, 7 and 8. Claims 1-8 remain in the application. Reconsideration of this application is respectfully requested.

Specification:

A typographical error was corrected in the first paragraph of the Background. The word *compete* was replaced with –complete--.

Claim Objections:

Claims 5 and 6 were objected to for informalities. Claims 5 and 6 have been amended to read "one digital signal processor" as indicated by the Examiner. Applicant respectfully request that the objection be withdrawn.

Claim Rejections - 35 U.S.C. § 112, second paragraph:

Claims 5-8 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5, 7 and 8 have been amended to address all of the antecedent basis issues and inconsistencies highlighted by the Examiner. The rejection under 35 U.S.C. § 112, second paragraph is thus believed to be overcome.

Claim Rejections - 35 U.S.C. § 103:

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yeap (U.S. 4,118,601) in view of Wong et al. (U.S. 5,881,103) and Eatwell et al. (U.S. 5,481,615).

Applicants respectfully traverse.

The Examiner stated that Yeap discloses a basic method and system for equalizing an audio transducer system. Applicant disagrees. Yeap is directed toward towards compensating

for room acoustics. Yeap does not calibrate the actual transducer (microphone or speaker) but rather manually manipulates a plurality of filter banks to adjust for the room acoustics. Yeap requires manually tuning a plurality of notch filters (40 a, b, c) that act as an equalizer to adjust for the room acoustics. The indicators (48 a, b, c) in Yeap eliminate the need for a spectrum analyzer. Additionally, all of Applicant's claims are directed towards a portable communication device. Claim 5 has been amended to clarify that the two-way radio is a portable two-way radio. Yeap would not work in a portable environment (and thus is not combinable with Wong) because Yeap's filter banks (ten of them) need to be manually monitored through several indicators and manually tuned.

The Examiner stated that Eatwell teaches the calibration of an internal telephone speaker. Applicant disagrees. Eatwell uses a classic adaptive noise filter to remove external environmental noise (col. 2, lines 20-35). Eatwell does not adjust a response of the speaker for a desired response.

Additionally, the only references that mention the use of pseudo random noise are Yeap and Harris. However, Yeap does not use the pseudo random noise for calibrating a transducer. Yeap uses pseudo random noise to drive the filters with a known amplitude. Harris uses pseudo random noise in a system for removing background noise and has nothing to do with transducer calibration. Applicant's use of pseudo random noise is directed to the input of the microphone or speaker.

Thus, neither Yeap, Wong, Eatwell or Harris taken individually or combined teach a transducer calibration system as claimed by Applicant's invention. Dependent claims 2-4 and 6 provide further limitations to what are believed to be allowable independent claims and hence are also in condition for allowance. Accordingly, the rejection of claims 1-8 is believed to be overcome.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

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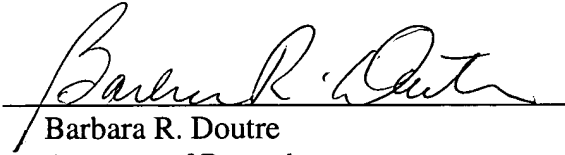
Respectfully submitted,

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